

109TH CONGRESS
2D SESSION

S. 3792

To amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mr. MARTINEZ introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tax and Education
5 Assistance for Children (TEACH) Act of 2006”.

6 **SEC. 2. CREDIT FOR QUALIFIED ELEMENTARY AND SEC-**
7 **ONDARY EDUCATION TUITION.**

8 (a) IN GENERAL.—Subpart A of part IV of sub-
9 chapter A of chapter 1 of the Internal Revenue Code of
10 1986 (relating to nonrefundable personal credits) is

1 amended by inserting after section 25D the following new
2 section:

3 **“SEC. 25E. QUALIFIED ELEMENTARY AND SECONDARY EDU-**
4 **CATION TUITION.**

5 “(a) ALLOWANCE OF CREDIT.—There shall be al-
6 lowed as a credit against the tax imposed by this chapter
7 for a taxable year an amount equal to the qualified ele-
8 mentary and secondary education tuition paid or incurred
9 by the taxpayer during the taxable year.

10 “(b) DOLLAR LIMITATION.—The amount allowed as
11 a credit under subsection (a) with respect to the taxpayer
12 for any taxable year shall not exceed—

13 “(1) \$4,500 in the case of a joint return,

14 “(2) \$4,500 in the case of an individual who is
15 not married, and

16 “(3) \$2,250 in the case of a married individual
17 filing a separate return.

18 “(c) QUALIFIED ELEMENTARY AND SECONDARY
19 EDUCATION TUITION.—

20 “(1) IN GENERAL.—The term ‘qualified elemen-
21 tary and secondary education tuition’ means ex-
22 penses for tuition which are incurred in connection
23 with the enrollment or attendance of any dependent
24 of the taxpayer with respect to whom the taxpayer
25 is allowed a deduction under section 151 as an ele-

1 mentary or secondary school student at a private or
2 religious school.

3 “(2) SCHOOL.—The term ‘school’ means any
4 school which provides elementary education or sec-
5 ondary education (kindergarten through grade 12),
6 as determined under State law.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 for subpart A of part IV of subchapter A of chapter 1
9 of such Code is amended by inserting after the item relat-
10 ing to section 25D the following new item:

 “Sec. 25E. Qualified elementary and secondary education tuition.”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to taxable years beginning after
13 December 31, 2006.

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